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Attorneys for Defendant
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARCUS BETORINA, JOSEPH DIAZ, and
FRED BELL, individuals on behalf of themselves
and on behalf of all persons similarly situated,

Plaintiffs,

v.

RANDSTAD US, L.P., a Limited Partnership; and
Does 1 through 50, inclusive,

Defendant.

Case No. 3:15-CV-03646-EMC

**STIPULATION AND PROPOSED ORDER
TO CONTINUE CASE MANAGEMENT
CONFERENCE**

Date: December 22, 2016
Time: 10:30 a.m.
Dept.: Ctrm. 5

Plaintiffs Marcus Betorina, Joseph Diaz, and Fred Bell ("Plaintiffs") and Defendant Randstad US, L.P. ("Randstad") (collectively "the Parties"), by and through their respective counsel, stipulate as

1 follows:

2 1. On August 8, 2016, the Parties attended a mediation and reached an agreement to resolve
3 this matter. They memorialized this agreement in a memorandum of understanding in which the Parties
4 agreed to enter into a long-form settlement agreement.

5 2. Since then, the Parties have been working to finalize the long-form settlement agreement.
6 The Parties have not yet finalized that settlement due to counsels' schedules and the Parties' desire to
7 present the Court with a long-form agreement sufficient for preliminary approval, which includes a
8 mechanism for class members to opt-into settlement of FLSA claim, which will be asserted in a
9 proposed amended complaint, for settlement purposes only, prepared by Plaintiffs' counsel.

10 3. A case management conference ("CMC") in this case is currently scheduled for
11 December 22, 2016. The Court continued the previous CMC to allow the Parties additional time to
12 finish reducing their agreement to writing. Since the continuance, the Parties have been working
13 together to finalize their agreement. The Parties are nearly finished with the agreement, but are not yet
14 done. The Parties still believe that they will be able to reduce their agreement in writing.

15 4. Since the Parties need to finalize their agreement before Plaintiffs file the preliminary
16 approval papers, which would be the main topic of discussion at the upcoming CMC, the Parties request
17 that the Court continue the case management conference for thirty days or another date that the Court
18 deems appropriate. The Parties believe that will allow them sufficient time to finalize the long-form
19 settlement agreement so that a motion for preliminary approval can be filed.

20 **IT IS SO STIPULATED.**

21 DATED: December 14, 2016

Respectfully submitted,

22 BLUMENTHAL, NORDREHAUG &
23 BHOWMIK

24 BY: /s/ Kyle R. Nordrehaug

Norman B. Blumenthal
Kyle R. Nordrehaug
Aparajit Bhowmik
Piya Mukherjee

25 Attorneys for Plaintiff
26 MARCUS BETORINA, JOSEPH DIAZ and
27 FRED BELL
28

DATED: December 14, 2016

Respectfully submitted,

SEYFARTH SHAW LLP

BY: /s/ Michael A. Wahlander

Andrew M. McNaught

Michael A. Wahlander

Duwayne A. Carr

Attorneys for Defendant

RANDSTAD US, L.P.

ATTESTATION PURSUANT TO LOCAL RULE 5-1(i)(3)

I, Michael A. Wahlander, attest that concurrence in the filing of this stipulation has been obtained from the signatory, Kyle Nordrehaug, counsel for Plaintiff.

DATED: December 14, 2016

By: /s/ Michael A. Wahlander

Michael A. Wahlander

[PROPOSED ORDER]

Pursuant to the Parties' stipulation and good cause appearing therefore, the Court orders as follows:

The Case Management Conference currently scheduled for December 22, 2016 is VACATED. The Case Management Conference is reset for 2/2, 2017. A Joint Case Management Conference Statement is due on 1/26, 2017.

IT IS SO ORDERED.

DATED: 12/20, 2016

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